

8.3 List of offences (tariff guide)

The tables referred to below are found in Part B of [Schedule 2, Legal Aid Services Rules](#).

Table 3	Indictable Type II
Table 4	Indictable Type I offences, hybrid offences proceeding by indictment, all sexual assault
Table 5	Summary conviction offences and hybrid offences proceeding summarily

Offence	Section	Governing table
Abandoning Child	218	4/5
Abduction	280, 281	3/5
Acknowledge bail, False name	405	4
Administer Noxious Thing to aggrieve or annoy	245(1)(b)	4
Administer Noxious Thing, endanger life	245(1)(a)	4
Administer Stupefying Substance/Overcome resistance by	246(b)	4
Aggravated Assault	268(2)	3
Aggravated Sexual Assault	273(2)	3
Aircraft Offences	76, 77, 78	4
Animals, Cruelty	445.1	4/5
Arson	434, 19	3
Assault	266	4/5
Assault, Peace Officer, Resisting arrest	270(2)	4/5
Assault with a Weapon or Causing Bodily Harm	267	4/5
Assault, Sexual with a Weapon, Threats to Third Party or Causing Bodily harm	272	3
Attempted Murder	239(1)(b)	3
Attempts and Accessories to summary conviction offences	463(c)	5
Attempts and Accessories to Type I indictable offences	463(b)	4
Attempts and Accessories to Type II indictable offences	463 (a)	3
Attempts and Accessories to Crown election offences	463(d)	4/5

Offence	Section	Governing table
Betting or Gaming House, Keeping	201(1)	4
Bigamy	291(1)	4
Breach of Contract, Criminal	422	4/5
Breach of Probation	733.1(a)(b)	4/5
Breach of Recognizance	811	4/5
Break and Enter with Intent, or Breaking Out (not dwelling)	348(1)(b),(e)	4/5
Break and Enter with Intent, or Breaking Out (dwelling)	348(1)(c),(d)	4
Bribery	119(1), 120	4
Burglary Tools, Possession	351(1)	4
Cannabis (Unauthorized possession – over 30 grams or illicit)	8 Cannabis Act	4/5
Cannabis (Distribution/PPT Distribution)	9 Cannabis Act	4/5
Cannabis (Selling/PPT selling)	10 Cannabis Act	4/5
Cannabis(Importing/Exporting/PPT)	11 Cannabis Act	4/5
Cannabis (Production)	12 Cannabis Act	4/5
Cannabis (Possession for Use in Production or Distribution)	13 Cannabis Act	4/5
Cannabis (Use of Young Person)	14 Cannabis Act	4/5
Careless Use of Firearm	86(3)	4/5
Cause Disturbance	175(1)	5
Cheating at Play	209	4/5
Choking - Overcoming resistance to commission offence	246(a)	4
Choking - Assault with a weapon or causing bodily harm	267(c)	4/5
Cocaine, Possession	4(3) CDSA	4/5
Cocaine, Trafficking or Possession for the Purposes of Trafficking	5(3)(a) CDSA	3
Cocaine, Importing/Exporting	6(3)(a) CDSA	3
Cocaine, Production	7(2)(a) CDSA	3
Common Nuisance	180(1)	4/5
Computer (Unauthorized Use of)	342.1(1)	4/5
Computer Service (Possession of Device to Obtain)	342.2(1)	4/5
Conspiracy	465(1)(c)	3/5
Conspiracy to Murder	465(1)(a)	3
Counseling Murder	22	3

Offence	Section	Governing table
Counseling Offence – summary conviction offences	22	5
Counseling Offence – Type I indictable offences	22	4
Counseling Offence – Type II indictable offences	22	3
Counseling Offence – Crown election offences	22	3/4/5
Counterfeit Money (filings)	451	4
Counterfeit Money, Possession	450	3
Counterfeit Money, Uttering	452	3
Credit Cards (Possession, Theft, Forgery, Use of)	342	4/5
Credit Cards (Making, Having or Dealing with instruments for Forging or Falsifying)	342	4/5
Credit Cards (Making, Having or Dealing in Instruments for Forging or Falsifying)	342.01	4/5
Criminal Harassment	264(3)	4/5
Criminal Negligence (Causing Bodily Harm)	221	3
Criminal Negligence (Causing Death)	220(1)(2), 165	3
Dangerous Operation	320.13(1)	4/5
Dangerous Operation (Causing Death)	320.13(3), 320.21	3
Dangerous Operation (Causing Bodily Harm)	320.13(2), 320.2	4/5
Dangerous Offender Applications	753	3
Dead Body, Indignity to	182	4/5
Disobey Order of Court	127(1)(a)(b)	4/5
Double Doctoring, Seeking of Obtaining Controlled Substance	4(2) CDSA	4/5
Dwelling, Unlawfully in	349	4/5
Escape Custody	145(1)	4/5
Escape Custody, permitting or assisting	146	4
Extortion	346, 201	3
Fabricating Evidence	137	3
Fail to Comply with Disposition	137 YCJA	5
Fail/Refuse Demand	320.15, 320.19(1)	4/5
Fail/Refuse Demand (Bodily Harm)	320.15, 320.2	4
Fail/Refuse Demand (Death)	320.15, 320.21	3
Failure to Appear, to Comply	145(2-5)	4/5

Offence	Section	Governing table
Failure to Provide Necessities	215(1)	4/5
Failure to Stop	320.16	4/5
False Alarm of Fire	437	4/5
False Pretences Under \$5,000	362(2)(b)	4/5
False Pretences over \$5,000	362(2)(a)	4/5
Finance a terrorist activity	569	
Firearm (Careless Use, Pointing, Possession of, Prohibited or Restricted, Making Automatic)	86, 87, 95, 102	4/5
Firearm (Possession Unlicensed/Unregistered)	92	4
Firearm (Use During Commission of Offence)	85	4
Forcible Confinement	279(2)	4/5
Forcible Entry	73	4/5
Forgery	367	5
Fraud, Accommodation	364	5
Fraud, Transportation (re Obtaining)	393(3)	5
Fraud, Transportation (re Collections)	393 (1) & (2)	4
Fraud under \$5000	380(1)(b)	4/5
Fraud over \$5000	380(1)(a)	4
Harassing Telephone Calls	372(3)	4/5
Heroin, Possession	4(3) CDSA	4/5
Heroin, Trafficking, or Possession for the Purposes of Trafficking	5(3)(a) CDSA	3
Heroin, Importing/Exporting	6(3)(a) CDSA	3
Heroin, Production	7(2)(A) CDSA	3
Hostage Taking	279.1(1)(b), 256	3
Householder Permitting Prohibited Sexual Activity	171	3
Immoral Theatrical Performance	167	4/5
Incest	155(2), 281	3
Indecent Act	173(1)	4/5
Indecent Exposure, Exhibition	175(1)(b)	5
Infanticide	237, 286, 657	3/5
Intimidation (watch and Beset)	423(1)	4/5
Interception (Wiretapping)	184	4
Kidnapping	279, 300	3
Killing Unborn Child in act of Birth	238	3
LSD & Amphetamines, Possession	4(6) CDSA	4/5

Offence	Section	Governing table
LSD & Amphetamines, Trafficking or Possession for the Purpose of Trafficking	5(3)(b) CDSA	4/5
LSD & Amphetamines, Importing/Exporting	6(3)(b) CDSA	4/5
LSD & Amphetamines, Production	7(2)(c) CDSA	4/5
Libel	300, 301, 302	4
Long-Term Offender	753.1	3
Lotteries, Games of Chance	206(1)	4/5
Manslaughter	236(b), 317	3
Mischief, Causing Danger to Life	430(2)	4
Mischief, Property over \$5000	430(3)	4/5
Mischief, Property under \$5000	430(4)	4/5
Mischief, Data	430(5)	4/5
Mischief, Willful Act or Omission causing danger to life or mischief in relation to data	430(5.1)	4/5
Murder (1st degree) (2nd degree)	231, 235(1), 326	3
Obscene Materials	163 (1)	4/5
Obscene Materials, Mailing	168	4/5
Obstruct Justice (Indemnifying Surety, Surety Accepting Fee)	139(1)	4/5
Obstruct Justice (any other manner)	139(2)	4
Obstruct Police	129	4/5
Operation While Impaired	320.14(1)	4/5
Operation while impaired (a conveyance)	320.14(1)	4/5
Operation while impaired (causing bodily harm)	320.14(2)	4/5
Operation while impaired (causing death)	320.14(3)	3
Operation While Prohibited (a conveyance)	320.18, 320.19 (5)	4/5
Participate in or contribute to activity of terrorist group	570	
Peace Bond (Offences relating to)	811	4/5
Perjury	132	3
Permitting Escape	147	4
Personate Police	130	4/5
Personate with Intent (Identity Fraud)	403	4/5
Possession under \$5000	355(b)	4/5
Possession over \$5000	355(a)	4/5
Possession of Explosive	82(1)	4/5

Offence	Section	Governing table
Prison Breach	144	4/5
Procuring Sexual Activity of Child	170	4
Prostitution, Communications for Purpose of	213(1.1)	5
Public Mischief	140(2)	4/5
Refuse Demand	320.15	4/5
Rescue from Custody	147	4/5
Robbery	344, 440	3
Sexual Assault	271, 452	4
Sexual Assault with Threats or Weapons	272	3
Sexual Exploitation	153, 455	4/5
Sexual Interference	151, 457	4/5
Soliciting	213	5
Theft from Mail	356	4
Theft Under \$5000 (and attempt Theft)	334(b)	5
Theft over \$5000	334(a)	4/5
Threats, Uttering (person, property, animal)	264.1(1)	4/5
Trafficking in persons, over/under 18	279.01/279.011	3
Treason	47(1) or (2)	3
Trespass at Night	177	5
Unauthorized person exercising function of performing duty under <i>Sex Offender Information Registration Act</i>	565	
Unlawfully at Large	145(1)	4/5
Uttering, forged document	368	4/5
Uttering, false registers/records	378	4
Weapons Offences (Firearm/Prohibited/Restricted)	91, 93, 94, 96, 105, 106, 107, 117.01	4/5
Weapons, Carrying Concealed	90	4/5
Weapon, Dangerous	88	4/5
Weapon (Firearm/ Prohibited/ Restricted)	99, 100	4
Trafficking, Possession for the Purpose of Trafficking		
Wounding, Causing Bodily Harm with Intent	244	3